

CRIMINAL RECORDS



REPORTING MANUAL

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CHR User Guide – 2011

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Section 1

Introduction

This handbook is a summary of current procedures for Criminal Records Reporting (CRR) within the State of Michigan.

The purpose and scope of this manual is to provide the criminal justice community a self-teaching guide orientation to Criminal Records Reporting.

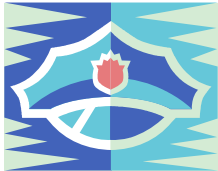



The goals for CRR 2011 are:

- To clarify reporting procedures;
- To enhance communications between network members;
- To enhance compliance with Michigan's criminal reporting legislation.

1.2 Michigan's Criminal Justice Network

Michigan's Criminal Justice Information System is a broad network of professionals who create, maintain, extract and update criminal and applicant records.

The Criminal History Record (CHR) is maintained by the Criminal History Section of the Michigan State Police (MSP) and is dependant upon fingerprints being retained by MSP. CHR records are permanent regardless of the age of the defendant at the time of arrest, unless an incident meets criteria for deletion.

	LAW ENFORCEMENT AGENCIES 41 State Police Work Sites 83 Sheriff Offices 491 City, Village and Township Police Departments
	PROSECUTING ATTORNEYS 83 county Prosecuting Attorneys Assistant Prosecuting Attorneys Attorney General Support staff personnel
	COURTS 57 circuit courts with 221 judges 105 district courts with 258 judges 4 municipal courts with 4 judges Support staff personnel
	CJIC (Criminal Justice Information Center) CJIC handles criminal history records and is responsible for the Law Enforcement Information Network (LEIN). Another part of the bureau accepts fingerprints through the Automated Fingerprint Identification System (AFIS) as well as palm prints and digital photos submitted as part of a valid criminal record build. Digital photos include mug shots and images of scars, marks, and tattoos.

Section 2

Legislation

2.1 Introduction

This chapter is a brief summary of the legislation and the implications for criminal and applicant records reporting.

2.2 1986/87 Legislation

In 1986, Public Acts 231 and 232 which took effect on June 1, 1987 clarified the role of network agencies.

2.2.1 Public Act 231 of 1986

Public Act 231 (MCL 28.241 - 28.247) confirmed the role of the Criminal Justice Information Center (CJIC) of the Department of State Police as the state central repository for the collection and filing of criminal history records. The law further specified that local law enforcement agencies were required to take fingerprints of any individual arrested for a felony or misdemeanor with a maximum penalty exceeding 92 days imprisonment or a fine of \$500 or more. (Public Act 97 of 1989 raised the fine to \$1,000.) Such prints were to be taken upon arrest and forwarded to the Michigan Department of State Police. The Department of State Police is to compare the suspect prints with existing files of fingerprint records and report the results of the file comparison.

Other provisions of Public Act 231 included the requirement for CJIC to notify the Federal Bureau of Investigation of final disposition on all felony arrests, to update criminal records for persons confined in state prisons or correctional facilities, and other related requirements for specified offenses.

2.2.2 Public Act 232 of 1986

Public Act 232 (MCL 764.29 769.1) was companion legislation to P.A. 231 and specified various court procedures covering fingerprints, criminal records, and related procedures. In terms of criminal records reporting, a major stipulation of Public Act 232 was the requirement for the clerk of the court to notify the state repository of dispositions of criminal cases.

2.2.3 System Changes

Public Acts 231 and 232 of 1986 brought about significant changes in the origination and processing of Michigan's criminal records. Here were the significant adjustments made in 1987:

- **Prosecutor as Pivot.** The county prosecutor's office became the key information source for the submission of records to CJIC and for the channeling of information between law enforcement agencies and the courts.
- **Criminal Tracking Number.** A network was created around the Criminal Tracking Number (CTN) that provides a common basis for tracking individual defendants through the arrest, trial, disposition, sentencing, and correction process.
- **PACC Charge Code.** To ensure proper recording of both criminal charges and related court dispositions, the network specified the use of a charge code system employed by the Prosecuting Attorneys Coordinating Council (PACC).
- **SID Notification.** A Technical Advisory Group representing all parts of the network established a notification system whereby CJIC would report the verified State Identification Number (SID) back to the prosecutor and law enforcement agencies and for the Prosecutor to forward the verified SID to the Court.
- **Disposition Reporting.** The State Court Administrative Office developed new court

disposition reporting procedures and supporting forms.

- **Statewide Training.** The Technical Advisory Group helped to develop a new reporting system and participated in a statewide training effort to stress the requirement for good fingerprint impressions and for consistent submission of arrest and court disposition reports to the state repository.

2.2.4 1987 Results

Inspection of incoming records and field evaluations of selected agencies indicated a significant improvement in system performance. Some of the more important observations were:

- **Better Arrest Reporting.** There was improved compliance with arrest reporting requirements from law enforcement agencies throughout the State.
- **Improved Record Quality.** The quality and clarity of incoming records was substantially improved over previous submissions.
- **Disposition Reporting.** Prior to 1987, less than half of Michigan felony arrests had corresponding reports of case dispositions. There was a major improvement in this measure.
- **Enhanced System Communications.** While they are not measurable statistics, there was clear indication of greatly improved communications between parts of the Criminal Justice Network and generally better cooperation with CRR procedures.

2.3 1988 Legislation

2.3.1 Public Acts 40 and 72 of 1988

Public Act 40 changed CRR procedures to include reporting of certain juvenile offenses. As of June 1, 1988, juveniles arrested for these offenses were to be fingerprinted and have criminal records created in a manner similar to adult offenders. Fingerprinting and criminal tracking of these juvenile offenses was no longer a matter of individual court option. A further provision of Public Act 72 required court disposition reporting of these selected juvenile offenses in the same manner as adult offenses.

2.3.2 System Changes

Following the 1988 revisions to Michigan's CRR system, administrative personnel for all parts of the network monitored the new procedures. As specified in the new legislation, the Administrative Section of CJIC made field audits to assess the impact of system changes. Here are the major changes in the CRR system that took place in 1988:

- **Revised Arrest Card.** The new RI-7 arrest card was designed for easier double-spaced typing and was separated into sections for handling by the different agencies.
- **Local Models.** Detailed local models were encouraged to identify designated individuals with responsibility for the various CRR procedures.
- **Juvenile Reporting.** Changes were made in how the system handled juvenile arrests and court dispositions for certain serious offenses.
- **Diversion.** Defined procedures were established for the several ways in which criminal cases might be deferred.
- **SID Notification.** Instead of the RI-4 SID Verification form, CJIC reported the results of a Criminal History File check via a new SID Notification Report.
- **SID Check Character.** A single alpha check character was used in all documents communicating SID numbers. The SID itself was unchanged; the alpha check character helped ensure accuracy in transmission.

2.4 1989 Legislation

During 1989, refinements to the system for juvenile record keeping and new interpretations of Public Act 40 that require juvenile offense reporting, made the process more efficient and exact. Also changes in how misdemeanor reporting is to be handled is a major emphasis of our current training efforts. See Section 6 for updated reporting procedures.

The RI-7 has undergone two revisions since 1988:

- in 1989 to incorporate changes needed for AFIS;
- in 1990 to incorporate reporting of the subject's SID, if known.

2.5 1991 Legislation

2.5.1 1991 Enhanced Sentencing

In 1991, Driving Under the Influence Law was revised; which brought modifications to the charging and sentencing mechanisms employed by Michigan's Prosecutors and Adjudicating Courts.

Prosecutors now simply follow the procedures consistent with sentence enhancement, whereby: the prosecutor is required to place a notice on the charging document and fingerprint card to indicate that the accused has one or more prior convictions and that upon conviction, the adjudicating court, shall assess the defendant, as a repeat offender, with an enhanced sentence. Using this methodology for sentence enhancement dictates that the fingerprint/arrest card (RI-7) must be completed in such a way as to ensure that the charges are entered as a tractable offense on the Criminal History Record. Please refer to Section 4.9, box 32 & Section 5.4 (Notice of Prior) for reporting details.

2.6 1993 Legislation

2.6.1 Public Acts 359 & 361 of 1993

Public Acts 359 & 361 of 1993 amended MCL 333.740a(1) to require that courts place sanctions on juveniles adjudicated for drug offenses and report those sanctions to CJIC for inclusion in their Criminal History Record.

2.7 1994 Legislation

2.7.1 Public Act 196 of 1994

Public Act 196 of 1994 added car jacking as a reportable Juvenile Offense.

2.8 1996 Legislation

2.8.1 Public Act 259 of 1996

Public Act 259 of 1996 added home invasion; 1st degree, juvenile facility; escape, bank robbery and safe breaking as reportable Juvenile Offenses.

2.9 1999 Legislation

2.9.1 Public Act 77 of 1999

Public Act 77 of 1999 is companion bill to other violations and record keeping requirements related to traffic offenses punishable by over 92 days or \$1,000 fine. The act provides for an exception to fingerprinting requirements of MCL 28.243 if the person is charged solely with violation of driving while license is suspended.

2.10 2000s Legislation

2.10.1 Public Act 187 of 2001 Effective April 1, 2002

PA 187 of 2001 modifies:

MCL 28.241a(h) is the definition of a reportable juvenile offense.

MCL 28.243(5) allows repository retention of low misdemeanor arrest fingerprints.

MCL 28.243(8) allows for the destruction of fingerprint records with exceptions in subsection (12).

2.10.2 Public Act 188 of 2001 Effective April 1, 2002

This act requires the court to report misdemeanor dispositions when fingerprints have been forwarded to State Police.

2.10.3 Public Act 203 of 2001 Effective October 1, 2002

This act requires fingerprinting and reporting of convictions for criminal contempt violations of personal protection orders.

2.10.4 Public Act 204 of 2001 Effective October 1, 2002

This act requires the court to report disposition and/or order fingerprinting for criminal contempt violations of personal protection orders.

2.10.5 Public act 222 of 2004 Effective January 1, 2005

This act requires fingerprinting and reporting of convictions for adults and juveniles arrested for offenses punishable by 93 days or more imprisonment including city violations of local ordinances. It also allows for the fingerprinting and reporting of convictions of adults and juveniles for offenses punishable by less than 93 days imprisonment including city violations of local ordinances.

2.10.6 Public Act 310 Effective February 1, 2006

This act requires the dissemination of criminal history information in response to a fingerprint-based or name-based search providing the criminal history is supported by fingerprints and has a state identification number (SID) number. It does not require the dissemination of information that is non-public or prohibited by law from being disseminated.

2.11 Other System Modifications

2.11.1 SID Notifications

Since January 1991, SID notifications are no longer provided. SID numbers assigned to arrest prints submitted manually are available 15 days after submission via LEIN inquiry.

2.11.2 Live Scan

Use of live scan modifies the criminal records reporting process. This manual supports the electronic processing of submitting fingerprints, arrest data, and dispositions to the CHR.

2.11.3 Summary

Current legislation and refinements to the CHR system make it imperative for all network members to insure that they are up-to-date in their understanding of proper procedures and reporting processes. CRR 2011 will assist in presenting this information in a clear, understandable format.

Section 3

Codes and Reporting Elements

This section defines and explains the important codes and Criminal Records Reporting Elements.

3.1 System Reporting

Each participant of the network uses codes and reporting forms that are specific to their various independent operations. If a particular form, code, or procedure has only internal application, we will not review it here. Instead, we look at those codes and forms that are used to communicate from one part of the network to another.

3.2 Defendant's Name

The name used in all criminal record reporting is to be the name the defendant originally gave at the time of arrest. The court should report using the verified SID as provided by the arresting agency or the prosecutor.

3.3 Incident/OCA Number

This number shall be the unique number assigned by the warrant-requesting agency to the case for which the defendant has been arrested, charged, and fingerprinted. The incident/OCA number is mandatory.

3.4 SID – State Identification Number

The State Identification Number (SID) is an 8 digit number that is assigned when a subject's fingerprints are submitted to and retained by CJIC for the first time. An individual keeps the same SID for all subsequent lifetime contact with Michigan's criminal justice network. CJIC returns the SID number via an administrative message sent through LEIN to the submitting agency's ORI. However, Law Enforcement agents can also access an individual file by a query to LEIN (Law Enforcement Information Network) using the Name, Race, Sex and Date of Birth (DOB) used at arrest.

3.5 PACC Charge Code

To ensure that all criminal charges are uniformly identified and reported, the network uses a coding system developed and maintained by the Prosecuting Attorney's Coordinating Council (PACC).

Literal descriptions of crimes are not precise or specific. The term "home invasion" could identify one of several possible crimes such as entering an occupied dwelling or other form of illegal entry. However, the code 750.11 0A-2 clearly identifies only one crime: "Home Invasion – First Degree."

S–C–A Bracket. The PACC charge code can incorporate one of three alpha characters to indicate criminal conspiracy or an attempted offense. The suffix codes are:

[S] for Solicitation

[C] for Conspiracy

[A] for Attempted criminal act.

For example, the sequence:

750.110A2 [A] is the PACC charge code with the suffix for Attempted Home Invasion-First Degree." The suffix is entered in the GOC field.

The Enhanced PACC code refers a Notice that may be charged in conjunction with the original charge. See Section 5.4 for further discussion of the PACC Charge Code as it relates to specific functions of the prosecutor's office.

3.6 TCN – Transaction Control Number

The Transaction Control Number (TCN) is an 11-digit number that is automatically generated by the live scan device. The first two digits are the live scan ID assigned by the Department of State Police. The second two digits are the current year. The following six digits are sequential numbers followed by an alpha check digit.

Example: TCN A108001123T

aa: Live Scan ID
yy: Year
sssss: Sequential Number
c: Check Digit Indicator

3.7 CTN – Criminal Tracking Number

The Criminal Tracking Number (CTN) is a 12-digit number assigned by the prosecuting attorney that links each defendant to a specific case. The CTN appears on all court and prosecutor documents and allows the prosecutor and the court to maintain record control through the duration of a case.

Example: 82 02 001234 05

First 2 digits – county of prosecution (i.e., 82 = Wayne County)

Year issued – next 2 digits (i.e., 02 = 2002)

Sequence number – next 6 digits
(i.e., 001234)

Suffix or Defendant number – last 2 digits (i.e., fifth defendant)

CTN Suffix. The 2-digit suffix is intended to track individual defendants in all criminal cases. A single defendant on a warrant is always identified with a suffix of “01.” Jurisdictions which prosecute multiple defendants on a single warrant shall insure that each defendant is assigned a unique suffix commencing at “01” and ascending “2002”, “03” etc. matching the number to individuals charged in the warrant. The suffix must be used for every warrant and all CTNs must consist of 12 digits. CTNs are all numeric; no alpha characters are allowed. Remember, care must be taken to insure that the correct 12 digit CTN number and associated name is sent to CHR.

CTN – Warrant Matching. Each defendant on each warrant must have a unique CTN. If a defendant is charged on multiple warrants, each warrant must show a separate CTN. This allows consistent tracking of a defendant on each warrant. It may be helpful to assign juveniles CTN numbers with a unique range to distinguish from adult CTNs.

The CTN remains an essential reporting element at all levels of CRR including court dispositions.

3.8 CTN on Misdemeanor

CJIC will continue to accept arrests for cases charged as misdemeanors for which the penalty is not greater than 92 days in jail. There need not be a CTN assigned. See Section 6 for more information on reporting.

3.9 ORI – Originating Agency

All network elements – courts, prosecutors, and law enforcement agencies – have an ORI as a unique identifier. The ORI number is assigned by the Law Enforcement Information Network (LEIN) to identify each criminal justice agency. Some documents also report ORIs for other involved agencies. It is the responsibility of the warrant holding/seeking agency to enter all ORI numbers when submitting fingerprints for criminal record building. An agency’s ORI can be found with a “ZO” transaction in LEIN. See section 4 or additional information on record building.

3.10 Court Case File Number

This is the number assigned to the case file by the court. It includes a prefix for the last two digits of the year of filing followed by a suffix using a case type code. The court case file number appears on the warrant, and on every court document.

3.11 Disposition Date

The disposition date is date the case was disposed of by the court.

3.12 Sentencing

Disposition reports of convictions specify criminal sentences including:

Pleas of guilty, nolo contendere, or guilty but mentally ill

Findings by a judge or jury of guilty, or guilty but mentally ill

Minimum, maximum or alternative terms of imprisonment in days, months, or years

Total of fines, costs, and restitution

Any probationary term in months

3.13 Important CRR Elements

In the manual sections that cover operations for each part of the network, we include specific procedures for starting all of the CRR segments. The key segments originated by various parts of the network are:

Law Enforcement: arrest (submission of fingerprints)

Prosecutor: criminal charging (CTN/PACC code)

Courts: disposition reporting, including dismissals, bench warrants and bind overs

Section 4

Law Enforcement Procedures

4.1 Introduction

Law enforcement agencies, seeking or holding a warrant or juvenile petition for an individual, are responsible to insure that proper prints are taken and complete arrest information is submitted including ORI numbers. This holds true even when prints are taken for/by another agency. Strict adherence to this responsibility is critical if the system is to operate effectively and the Criminal History Record is to be accurate.

4.2 Types of Arrests

4.2.1 Warrant-less Arrest

Law enforcement agencies may start the Criminal Record Reporting process with a warrant-less arrest. In a warrant-less arrest, a subject is taken into custody following a criminal offense and is fingerprinted prior to the preparation of a warrant

4.2.2 Warrant Arrest

A warrant arrest differs from a warrant-less arrest only in that a warrant is issued prior to the arrest. In both types of arrests it is the responsibility of the law enforcement agency seeking the warrant to ensure that proper prints have been taken and submitted to the CHR.

4.2.3 Adult Arrests

Arrests punishable by more than 93 days imprisonment and arrests for personal protection orders (PPO) violation shall be fingerprinted and submitted to CHR.

Arrests punishable by than less 93 days and/or \$1000 may be fingerprinted at time of arrest and submitted to CHR. CJIC recommends coordinating with local prosecuting attorneys and courts to ensure arrests substantially correspond to state statute.

4.2.4 Juvenile Arrests

Public Act 40 of 1988 and Public Act 196 of 1994 mandated changes in arrest and criminal records procedures for juveniles.

“A juvenile shall be fingerprinted if arrested for an offense punishable by more than 93 days imprisonment. A juvenile may be fingerprinted if an offense is punishable by less than 93 days and/or \$1000. CJIC recommends coordinating with local prosecuting attorneys and courts to ensure arrests substantially correspond to state statute.”

4.2.5 Traffic Violations

Second offenses for driving under suspension and OUIL are violations that carry penalties of 93 days and/or \$1000. The subject is to be printed and the arrest procedure followed for a warrant-less arrest.

4.2.6 Court Ordered Prints

If a subject has not been printed at the time he appears in court, the court may issue an Order for Fingerprints. The court order directs the subject to the agency that requested the warrant in the case. It is the agency's responsibility to take the prints and electronically transmit them to MSP, notify the court and the prosecutor that prints have been taken, and supply them with the TCN related to the

prints. If you are not the warrant-holding agency, contact the Criminal History Section at MSP.
(517) 241-0606

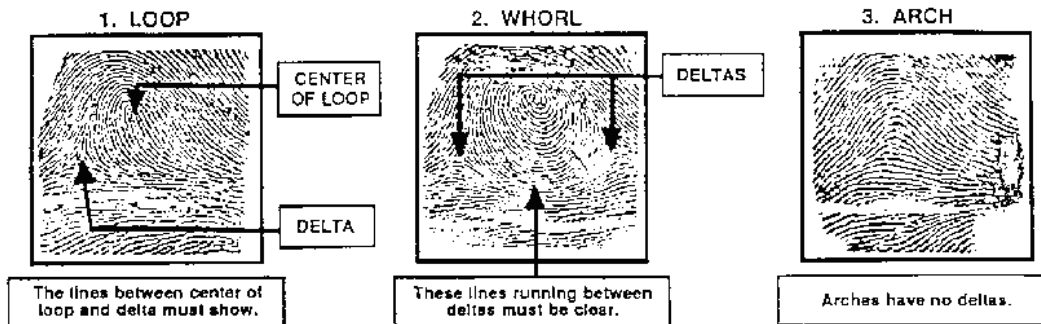
4.3 Good Fingerprint Impressions

Criminal history records require certainty of fingerprint identification. Without a set of fingerprints to match against the existing file, there can be no additions, modifications, upgrades, or deletions to an existing criminal history record. With good impressions, there is a higher likelihood of finding an existing file match. A technician can identify characteristics, and there is also less likelihood of mistakenly creating a new file for a previously arrested individual.

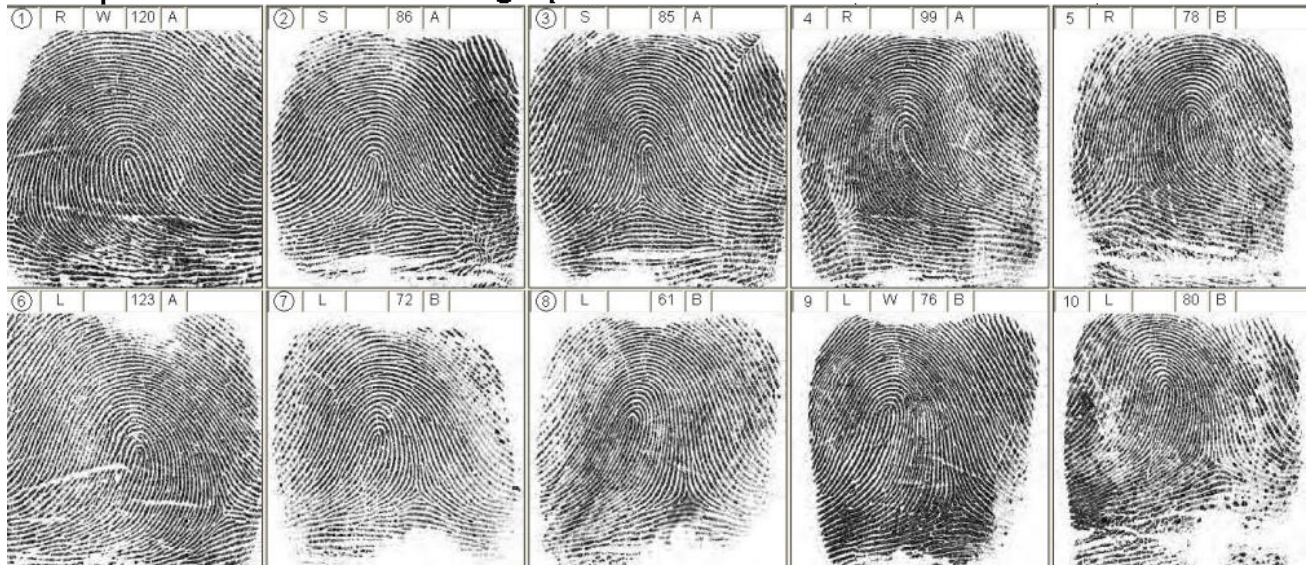
If inked impressions need to be taken, these guidelines will help produce clear fingerprints:

- Use fresh ink.
- Re-ink slab or pad for every subject.
- Re-roll the slab or pad in between different 10-print cards for the same subject.
- If possible, clean hands of the subject before fingerprinting. Dirt can greatly obscure fingerprint impressions.
- For placement and rolling of the fingers, align the cuticle with the horizontal hash marks on the perimeter of the blocks. This assists with centering the patterns in the blocks.
- Roll each finger nail to nail.
- Make sure you obtain an impression of each finger from the tip to the crease of the first joint showing.
- Use even pressure throughout the roll.
- Inspect prints to make sure they are classifiable (see chart on next page).
- If unable to take a complete set of prints due to amputation or other deformity, leave the corresponding finger box empty and make a note in Box 26 on information side of RI-7.
- Do not fold fingerprint card.
- Inspect prints again to make sure they are classifiable.

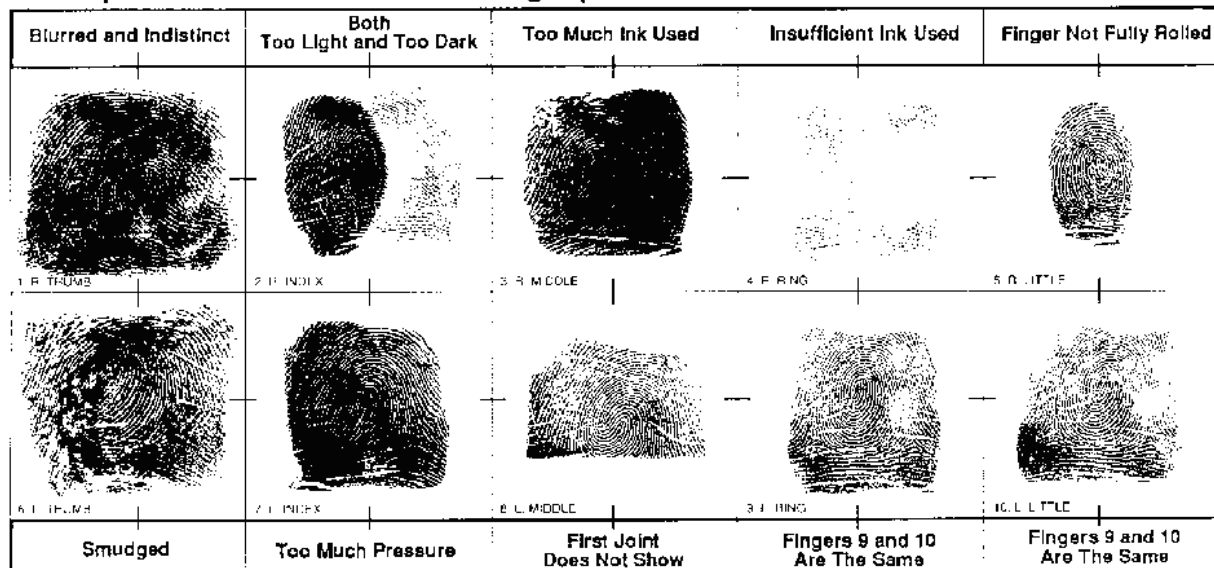
Characteristics Necessary to Classify Fingerprints:



Example of a Good Set of Fingerprints:



Examples of Unclassifiable Fingerprints:



4.4 Fingerprint Transactions

4.4.1 Criminal Arrest

Criminal record builds are the most common fingerprint transactions sent to the state. A criminal record build is submitted at the time the subject is arrested and taken into custody.

(Note: A new arrest requires a new set of fingerprints be taken. Fingerprints still appearing on the live scan device from a previous arrest are not to be used for a new arrest.)

A criminal record build may also be done if the subject is picked up on an outstanding warrant and has never been printed for the offense or an order for fingerprints has been issued by the court. The following is a description of the fields that appear in a criminal record build transaction.

NAME: NAME USED AT ARREST

Up to three names may be entered followed by a suffix (Jr. Sr. II, III). Separate last name from first name with a comma. Only last name may contain a hyphen.

Jones-Smith, Melinda Sue

For persons with one name, enter the name as the last name followed by a comma, and an X as the first name.

Cher, X

ALIAS: ADDITIONAL NAMES USED/ OR KNOWN TO BE USED BY THE SUBJECT

Alias names are entered in the same format as the arrest name. Alias names must contain a comma. If the name is a nickname or street name an X may be entered before or after the comma.

Flash, X

DATE OF BIRTH:

A date of birth must be entered in all transactions. Refer to your live scan device users manual for correct format, usually mm/dd/yyyy when printed and yyymmdd for automated transmissions.

BIRTH PLACE: STATE OR COUNTRY OF BIRTH

Two digit alpha code for the state or country in which the subject was born as provided in the National Crime Information Center (NCIC) Code Manual Part 6.

SOCIAL SECURITY NUMBER:

Federal nine-digit social security number.

DRIVERS LICENSE STATE:

This is a two-character code for the state where the driver's license was obtained.

DRIVERS LICENSE NUMBER:

Michigan driver's license numbers must consist of one alpha character followed by 12 numbers. The first three numbers must begin with 000 or in the range of 100 – 666 and 726 – 730. Personal identification or state identification numbers must not be entered in this field. Out of state DLN may be entered as they appear on the license.

MISCELLANEOUS IDENTIFICATION NUMBER:

Miscellaneous identification numbers can be entered in this field. The format of the data is a two-letter identifying code, followed by a hyphen (-), followed by the number itself.

IDENTIFICATION COMMENTS:

Additional miscellaneous identification remarks may be entered. Up to 50 characters are allowed in this free text field.

FBI NUMBER AND STATE IDENTIFICATION NUMBER(SID):

Do not enter either of these numbers when submitting live scan transactions to CHR.

GENDER:

This is a one-character field to report the gender of the subject. The following codes are acceptable: F-Female, M-Male and U-Unknown.

RACE:

This is a one-character field. Valid codes for this field are as follows:

A	Chinese, Japanese, Filipino, Korean, Polynesian, Indian, Samoan or any other Pacific Islander.
B	ny black racial group in Africa.
I	American Indian, Eskimo, Alaskan native or a person having origins in any of the 48 contiguous states of the United States, or Alaska who maintains cultural identification through tribal affiliation or community recognition.
W	Caucasian, Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origins regardless of race.
U	Unknown - of indeterminable race.

HEIGHT:

The height or approximate height of the subject. The first number is measured in feet. The last two numbers is measured in inches. All zeroes are not valid in this field. The valid range of height is 3 feet to 7 feet 11 inches in Michigan.

5'3" = 503 6'=600

WEIGHT

The weight or approximate weight of the subject. The valid range of weight is 50 pounds to 499 pounds in Michigan.

COLOR of EYES

A three-letter code is used for the color of eyes:

BLK	Black	HAZ	Hazel
BLU	Blue	MAR	Maroon
BRO	Brown	MUL	Multicolor
GRY	Gray	PNK	Pink
GRN	Green	XXX	Unknown

HAIR COLOR

A three-letter code is used to indicate the hair color based on the following table:

BLK	Black	PLE	Purple
BLN	Blond or Strawberry	PNK	Pink
BLU	Blue	RED	Red or Auburn
BRO	Brown	SDY	Sandy
GRN	Green	WHI	White
GRY	Gray or Partially Gray	XXX	Unknown or Bald
ONG	Orange		

SCARS MARKS and TATOOS

Describes any abnormality the location, left/right arm, hand, torso, leg, etc. Also explains missing digits (Amp, Missing at Birth, Broken or Bandaged affecting the fingerprinted images).

DATE OF ARREST

Date the subject is brought into custody. Refer to your live scan device users manual for correct format. (mm/dd/yy or yy/mm/dd).

GENERAL OFFENSE CODE (GOC)

Consists of a one-character field and is used to enhance the description of a charge.

ATTEMPT	A
CONSPIRACY	C
SOLICIT	S

CHARGE COUNTS

This number represents the number of times a subject is arrested for the same crime. (Two arrests for B&E would be a charge counts of 2 not count 1 and count 2.)

CHARGE TYPE CODE

Data in this field is a valid single character numeric code that identifies which type of code is used in the arrest charge field.

MICR/MAC	1
PACC	2
AFC	3

MICR/PACC/ARREST FILE CLASS

The data in this field is a code that when translated identifies the reported arrest charge.

MAC – Michigan Arrest Code. This is the code that is created and maintained on CCH. It is not a MICR code.

PACC – Prosecuting Attorneys' Coordinating Council. This code is created and maintained by the Prosecuting Attorneys' Association of Michigan.

AFC – Arrest File Class. This is a general code used to report arrest data.

The CHR system converts the arrest charge code to a general AFC code regardless of the code entered. (If a PACC of 257.9041C is entered it will appear in the CHR arrest segment as 5400 traffic offense.)

ARREST TYPE FLAG

For this field the alpha code from the following table is used to describe the arrest charge to be a felony, misdemeanor, ordinance, or civil violation. The only civil offence reportable to the CHR is personal protection order violations.

DESCRIPTION	CODE
FELONY	F
MISDEMEANOR	M
ORDINANCE	O
CIVIL	C

DATE OF OFFENSE

This date is the date the offense was committed.

CRIMINAL TRACKING NUMBER -CTN

This is the number assigned by the prosecutor when a warrant is issued. This number tracks the case and is used by the court to report disposition information for the case. If an arrest is made on an outstanding warrant the CTN number and the PACC code charge from the warrant can be entered at the time of arrest. This will complete both the arrest segment and the charge segment of the CHR.

ARREST DISPOSITION CODE

The arrest disposition code describes the status of the case.

If the arrest is for an outstanding warrant and the CTN and PACC code are entered the ADC is CHG. If the subject is a juvenile the ADC is REP or JUV. (Note: The court ORI entered must be probate court or family division of circuit court.)

DESCRIPTION	CODE
Release No Prosecution	REL
Charged For Prosecution	CHG
TOT Probate Court	JUV
Notice to Appear	NTA
Juvenile Petition Requested	REP
Warrant Requested	REW

WARRANT HOLDING AGENCY ORI

This is the ORI for the agency requesting or holding the warrant.

If you pick up on an outstanding warrant that is not your agency's, do not send fingerprints to the state as a record build under your ORI. Prints can be sent to the state as an ID-only transaction to identify the subject. If you have a fingerprinting agreement with the warrant-holding agency and can transmit under their ORI, you may send record-building prints on their behalf.

ORIGINATING AGENCY CASE NUMBER

The incident/case number assigned by the warrant-holding agency. This number must be forwarded to the prosecutor and court exactly as it was transmitted to the state and appears on the CHR. If it is transmitted incorrectly and you notify CJIC to correct CHR then you must be sure the prosecutor and court are notified of the change.

PROSECUTING AGENCY ORI

The ORI of the county prosecuting attorney. The ORI is mandatory for a state felony or misdemeanor case. If a case is a local charge and being handled by a city attorney do not enter an ORI.

COURT JURISDICTION/ARRAIGNMENT ORI

The ORI for the court where the subject appears for arraignment or the court where the subject will appear for adjudication.

4.4.2 Identification Only

Fingerprint transactions can be sent to the state for identification purposes only. This is referred to as an ID-only submission or a quick ID. The following are possible reasons to do an ID-only rather than a record build transaction:

- A. John Doe
- B. Bench Warrant/FTA Arrests (Note: original arrest has already been reported/retained on criminal history record)
- C. FOC (child support, etc) (Note: these are Civil offenses Jane Doe vs John Doe not criminal State of Michigan vs John Doe)
- D. Elimination Prints (Note: latent fingerprints must be registered at crime lab in unsolved latent database file)
- E. Prisoner Movement
- F. Pending Investigations

Fingerprint transactions can be sent to the state for identification purposes only. This is referred to as an ID-only submission or a quick ID. The following are possible reasons to do an ID-only rather than a record build transaction:

An ID-only transaction requires demographic information (name, date of birth, race/sex) and a full set of fingerprints. The fingerprints are not retained at the state and no CHR is built. After an ID-only is sent to the state, CJIC staff cannot change the status to retain the prints. If a warrant is to be obtained, a new set of prints with a new TCN must be sent to the state.

Section 5

Prosecuting Attorney Procedures

5.1 PAAM and PACC

Prosecuting Attorney Offices are represented in the development of Michigan's Criminal Record Reporting system through two bodies: the Prosecuting Attorneys Association of Michigan (PAAM) and the Prosecuting Attorneys Coordinating Council (PACC). PACC is a state agency governed by a five member council consisting of the Attorney General of Michigan and four Prosecuting Attorneys. The responsibilities of PACC include the development and assignment of charge codes which are used to define and specify offenses within the entire criminal reporting system which consists of prosecutors, courts and corrections.

The Prosecuting Attorneys Association of Michigan (PAAM) is a non-profit organization comprised of 83 county prosecutors, the Attorney General, and Michigan's U.S. Attorneys. PAAM, through its officers, Board of Directors, and committees represents the Prosecuting Attorneys on such issues as computerized criminal history, automated fingerprint identification system, and in continuing dialogue with courts and police agencies.

5.2 Office Procedures

In addition to the assignment of essential reporting elements, Prosecuting Attorney Offices are transfer points of Criminal Records Reporting information.

5.3 Criminal Tracking Number (CTN)

The criminal tracking number is a 12-digit unique number assigned by the prosecuting attorney that links each defendant to a specific case. The CTN appears on all court and prosecutor documents and allows the prosecutor and the court to maintain record control through the duration of the case.

Authorized Charges – For any authorized criminal warrant, the prosecutor assigns a CTN for each defendant. If a prosecutor charges a single defendant on multiple warrants, the prosecutor must assign multiple CTN's, one to each warrant.

Warrant not Authorized- If the prosecutor denies the charges the prosecutor enters the denial which changes the status of the case to released on the criminal history record. Whereby the record May be deleted.

5.4 PACC Charge Code

PACC charge codes are available in the electronic warrant manual distributed by PACC.

Please contact their office for information on obtaining a subscription to the manual for your agency at (517) 334-6060. There are 2 types of PACC codes; one for the underlying charge and one for a Notice which may be charged in conjunction with the underlying charge. In the criminal history record the Notice PACC code is referred to as an Enhanced PACC code. A notice code may change the charge class from a misdemeanor to a felony. The change varies depending on the underlying charge. The notice informs the court of sentence enhancements.

5.5 Requesting a Warrant from a Prosecutor

When a warrant request is sent (electronically or manually) to a prosecutor office, PACC/PAAM standards **require at a minimum** the following at the time the request is presented:

- The prosecutor office Warrant Request filled out. The form must **include the TCN** if the defendant has been arrested. This document is a basic summary of the case and is generally considered the cover sheet of the police report.
- The police report also including the TCN
- The CHR, including the arrest record if the defendant was arrested. The defendant must be fingerprinted in order for the arrest record to appear on the CHR.
- Other documents, photos, reports, etc depending on the charge(s) requested.

Note – If the defendant is arrested, the warrant-requesting agency is responsible for ensuring that fingerprints are collected and submitted to CJIC. Often the Live Scan system is at another agency, requiring the warrant-requesting agency to contact the Live Scan agency to obtain the TCN to be copied on the CHR. The CHR sent to the prosecutor must include the arrest record for the warrant requested.

If the defendant is at large, the above documents without the TCN should be sent to the prosecutor's office.

When the defendant is arrested, it is the warrant-requesting agency's responsibility to send a CHR that includes that arrest record to the prosecutor's office. The CTN and TCN must be on the first page of the CHR. If the defendant has multiple warrants, include the CTN for each warrant.

It is the court's responsibility to ensure the defendant has been fingerprinted. The judge or magistrate should determine if fingerprints were submitted and order the defendant to be printed if necessary. The police officer should provide the TCN at the District Court Arraignment. Please notify the prosecutor's office if the officer provides the TCN. This will ensure the arrest record is not released and the charge record is properly built.

The prosecutor system will electronically send the TCN data to the CHR system upon authorization of the charge in the PA's case tracking system. If the TCN is not on the warrant it means the defendant has not been printed or there is a problem with the TCN. The court and arresting agency will need to resolve any issues. When they are resolved the prosecutor will need to be informed of the TCN in order to send the charge record to the CHR system.

Section 6

Court Procedures

6.1 Fingerprint Orders

Courts must check that fingerprints have been taken. If the court file does not show that prints have been taken, the court must order fingerprinting using Form MC 233 (revised). Include a copy of the complaint.

6.2 Case Dispositions

The Clerk of the Court is responsible for reporting the disposition of criminal cases to CJIC electronically.

- **Applicable Offenses.** The procedures discussed here apply specifically to criminal cases originally charged as felonies or misdemeanors punishable by imprisonment of 93 days or a fine of \$1,000 and local ordinances punishable by less than 93 days that correspond to an already existing state statute.

- **Reporting Elements.** The CRR codes and reporting elements are covered in **Section 3**.

If your court does not report electronically disposition forms should be mailed to CJIC immediately after the case is disposed.

Mail forms to:

Michigan State Police
Criminal Justice Information Center
P O Box 30634
Lansing, Michigan 48909

NOTE: Dispositions on Multiple Charges (Cases): **Do not report disposition of case until all charges have been disposed.**

6.3 Disposition Forms

The State Court Administrative Office has approved forms for reporting electronically. If you are reporting manually refer to SCAO guidelines at <http://courts.michigan.gov/>

6.4 Crime and Charge Code

In cooperation with the prosecutor, the court ensures that the crime and charge codes reported in the disposition are accurate. Charge codes can be found in the prosecutor warrant manual available from the Prosecuting Attorneys Coordinating Council.

6.5 Sentence Modifications

MCL 769.16a (1) requires the court to notify CJIC of sentence modifications, or if a new final order or judgment replaces a prior final order or judgment including probation violation, sentence to prison and dismissal/ acquittal on appeal. Do not report minor modifications such as extension of probation or sentence to county jail for probation violation, or sentence to jail for failure to pay fines/cost.

If reporting manually the disposition form for sentence modifications must have “AMENDED” written or typed at the top of the form. The original CTN and court file number are used for the modification.

6.6 Special Dispositions

Non-Public Records

All non-public dispositions with the exception of the Set Aside Conviction can be entered electronically.

Deferred Status

When a subject is deferred under **7411 (drug charges), domestic assault, parental kidnapping, or health care professional practicing under the influence**, the record remains public and available to anyone.

Non-Public Status

When deferred probation is successfully completed and a modification is entered discharging the defendant from probation and dismissing the case the arrest and disposition become non-public.

Assignment to Holmes Youthful Trainee Status (HYTA)

An assignment to Holmes Youthful Trainee Status is non-public at the time the judgment of guilt is deferred. The modification of discharge from probation and dismissal must still be done to complete the status of the case and reflect a dismissal under HYTA on CHR.

Public and Non-Public Charges in the Same Case

When a subject is deferred under one of the special probations listed above, and an additional charge is part of the case, both charges and dispositions may be entered on the arrest at the time of probation. If the probation is successfully completed, making one of the charges non-public, the additional charge must be addressed separately. The judgment for the public charge must be manually sent to CJIC for processing. CJIC will create a copy of the original arrest on CHR to reflect the convicted count.

Court Access to Non-Public Records

When a court suppresses a case pursuant to one of the statutes listed above, making it non-public, it is hidden from purpose code "C" inquiries. In accordance with statute, non-public records are accessible only to criminal justice ORIs and only for specified purposes (to ensure the defendant is utilizing the deferral-dismissal only once). When courts have a case involving these statutes, and consideration is being given to making a charge non-public, the criminal history record should be checked. Non-public records are accessible only by using the specific purpose code in scan line 52 associated with that type of offense (see below).

- For suppressed drug charges, use 7411 in the purpose code field;
- For suppressed domestic charges, use ABUSE in the purpose code field;
- For parental kidnapping charges, use KID in the purpose code field;
- For Holmes Youthful Training Act charges, use HYTA in the purpose code field;
- For other set aside convictions, use CSA in the purpose code field.

Frequently Asked Questions

1. OCA Number – What if I don't have/know the OCA number?
All fingerprint submissions must include an OCA/incident number.
Do not enter all zeros or the word "missing". The prints can be taken and held in the live scan device until the OCA/incident number is obtained or located.
2. PACC Code –What if I don't know the PACC code, where can I find PACC codes?
PACC charge codes are available in the electronic warrant manual distributed by PACC. Please contact their office for information on obtaining a subscription to the manual for your agency at (517) 334-6060.
3. What is the A, C or S at the end of a PACC code on a warrant?
The A, C or S following a PACC code [750.110] [C] is an additional identifier to the charge description and is entered in the GOC field.
A= Attempt
C= Conspiracy
S= Solicit
4. What if a subject is transferred to another jurisdiction?
A new set of prints need not be taken if you are taking custody from another agency and the original agency built an arrest on CHR.
5. What is the difference between CCH and CHR?
They are one in the same. The original automated criminal history was called CCH, Computerized Criminal History. The automated criminal history is now referred to as the CHR, Criminal History Record.
6. How do I submit fingerprints to AFIS/CJIC if my live scan device is not operational?
Contact the Identification Section at MSP.
24 Hour Fingerprint Tech Line: 517-241-5708
7. What if subject refuses to be fingerprinted?
MCL 28.245a defines refusal to be fingerprinted. The statute allows the subject to be held (if the prosecutor is in agreement) until arraignment at which time the magistrate can order fingerprints be taken.
8. What if someone walks in with an order by the court for fingerprints?
If the warrant was requested by your agency fingerprint the subject and send the prints to MSP electronically. Notify the court and prosecutor that prints were taken.

**CRIMINAL JUSTICE INFORMATION CENTER
MAIN LINE
517-241-0600**

CRIMINAL HISTORY SECTION

Help Desk: 517-241-0606

Fax: 517-241-0866

IDENTIFICATION SECTION

24 Hour Fingerprint Tech Line: 517-241-5708

Fax: 517-241-9596

APPLICANT PROCESSING

Help Desk: 517-241-0606

Fax: 517-241-0866